

III

Figs. 5A, 5B;

IV

Figs. 7A and 7B.

PROVISIONAL ELECTION

Applicant provisionally elects with traverse to prosecute the subject matter of Specie IV (Figures 7A, and 7B) in the present application. Applicant submits that at least Claims 25 to 46 read on the elected specie; Applicant believes that all pending claims 1 to 46 may be read on the elected Specie IV or are so related that separate examination is not proper, and respectfully requests examination of all pending Claims 1 to 46. Applicant also submits that Claims 25 and 36 are generic to the identified species, where Claims 25 and 36 are directed to the features at the transmission side and the receiving side, respectively. Applicant reserves all rights to the subject matter recited in the non-elected species and any claims withdrawn from consideration pursuant to this Restriction/Election Requirement.

TRAVERSE

Applicant respectfully traverses the Election of Species/Restriction Requirement. Without conceding the Examiner's characterization of the claimed invention, Applicant believes that a thorough search of the relevant art for Specie IV (Figures 7A and 7B) will require substantial consideration of the art relevant to Species I to III (Figures 1 to 5B). Figures 7A and 7B include the contents of Figures 4A, 4B, 5A and 5B; Specie 1 is directed to the feature of calculating the total amount of data to be transmitted at the image

transmission side; Specie 2 is directed to the feature of calculating the total amount of data to be transmitted at the image reception side; Specie 3 is directed to the features of Specie 2 and of transmitting and receiving a portion of the data; and Specie 4 is directed to the features of Specie 3 and selection of the image. Separate search and examination by separate Examiners in separate applications may lead to duplicate work and inconsistent results. Applicant submits that the subject matter of the respective species are closely related, and that it would be administratively and economically preferable, for both the PTO and Applicant, to search and examine all of the claims/species together; accordingly, Applicant requests that the Election of Species/Restriction Requirement be withdrawn and that all pending claims be examined in the present application.

Applicant believes that the present paper is fully responsive to each of the points raised by the Examiner in the Official Action. Reconsideration and withdrawal of the election of species/restriction requirement, and consideration on the merits of all pending claims at the Examiner's earliest convenience earnestly are solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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